

HUBBARD & BIEDERMAN, L.L.P.
1717 MAIN STREET
SUITE 4700
DALLAS, TEXAS 75201
(214) 857-6000
(214) 857-6001 FAX
www.hblawfirm.com

EXHIBIT

1

THE FIRM

Hubbard & Biederman, LLP ("H&B LLP") is an AV rated civil litigation law firm providing legal representation in the areas of insolvency litigation, bankruptcy, commercial and civil litigation, including class actions.

H&B LLP has substantial experience in prosecuting and defending complex insurance and reinsurance issues from the perspective of consumer and business policyholders and from the unique perspective of insurance receivers and liquidators. To avoid even the perception of a conflict of interest, H&B LLP does not represent insurance companies.

Insolvency Experience

H&B LLP has successfully pursued asset marshaling litigation ranging from modest note and contract obligations to large fraud and director and officer liabilities suits involving hundreds of millions of dollars.

H&B LLP has over twenty years experience in insurance insolvency and related bankruptcy experience, again primarily from the perspective of representing various insurance commissioners, regulators and liquidator-receivers. H&B LLP has played an active role in many of the largest life and property/casualty liquidations. These representations include pursuing claims through negotiation and/or litigation against officers and directors, reinsurers, managing general agents and various related parties. The representation often includes sophisticated and technical issues involving reinsurance, real estate, bankruptcy and commercial law.

H&B LLP has often been called upon to analyze and work with forensic accountants, actuaries and other professionals to determine the merits of claims involving insolvent companies. The Firm has substantial experience in protecting the interests of policyholders in connection with competing interest of liquidators and bankruptcy proceedings of holding companies.

Insolvency Matters

H&B LLP represented receivers/liquidators in the following significant cases:

- Executive Life Insurance Company
- National County Mutual Fire Insurance Company
- Early American Insurance Company and Commercial Standard Insurance Company
- Mobile County Mutual Insurance Company and Mobile Insurance Company
- Reliance Insurance Company.

Consumer Experience

H&B LLP has utilized its litigation and insurance expertise in representing policyholders in nationwide class actions against major insurance companies resulting in billions of dollars of relief in court sanctioned settlements. These cases required comprehensive knowledge of insurance, marketing and actuarial concepts along with knowledge of large suit dynamics.

H&B LLP often represents individual policyholders obtaining relief in unjust situations.

Litigation Experience **(Class Actions)**

H&B LLP has represented policyholders as class counsel in the following significant cases:

- ***Wilson, et al. v. New York Life Ins. Co.***, Superior Court of New York. Recovery for the class of a minimum amount of approximately \$300 million.
- ***Michaels, et al. v. Phoenix Home Life***, Supreme Court of New York, Albany County. Recovery for the class of a minimum of approximately \$100 million.
- ***Jordan, et al. v. State Farm Life Insurance Company***, Circuit Court of McLean County, Illinois. Recovery for the class of approximately \$200 Million.
- ***Garrett v. Metropolitan Life Insurance Company***, United States District Court, New York. Recovery for class of approximately \$1.6 Billion.
- ***In Re: Prudential Insurance Company of America Sales Practices Litigation***, United States District Court for the District of New Jersey. Recovery for the class in excess of \$2 Billion.
- ***Duhaime, et al. v. John Hancock Mutual Life Insurance Company, et al.***, United States District Court for the District of Massachusetts. Recovery for the class of approximately \$416 Million.
- ***Picow, et al. v. Security Life and Trust Insurance Company***, Dallas County District Court, Dallas, Texas. Recovery for the class of in excess of \$10 Million.
- ***Miller, et al. v. American General Life and Accident Insurance Company, et al.***, In the Circuit Court of Davidson County, Tennessee, Fifteenth Judicial District. Recovery for the class of approximately \$246 Million.

- **Garst v. The Franklin Life Ins. Co.**, United States District Court, Northern District of Alabama, Southern Division. Recovery of approximately \$150 million for the class.
- **Lee v. US Life Corp.**, United States District Court, Western District of Kentucky, Bowling Green Division. Recovery of a minimum of approximately \$148 million for the class.
- **McNeil, et al. v. American General Life and Accident Insurance Company**, United States District Court, Middle District of Tennessee, Nashville Division. Recovery for the class of approximately \$206 Million.
- **Snell, et al. v. Allianz Life Insurance Company of North America, et al.**, United States District Court, District of Minnesota. Recovery for the class of approximately \$53.4 Million.
- **Grove, et al. v. Principal Mutual Life Insurance Company**, United States District Court, Southern District of Iowa, Central Division. Recovery for the class of approximately \$374 Million.
- **In Re: New England Mutual Life Insurance Company, Sales Practices Litigation**, United States District Court, District of Massachusetts. Recovery for the class of approximately \$172 Million.
- **In re Manufacturers Life Insurance Company Premium Litigation**, United States District Court, Southern District of California. Recovery for the class of approximately \$550 million.
- **Benacquisto, et al. v. IDS Life Insurance Company, et al.**, District Court of Minnesota, County of Hennepin, Fourth Judicial District. Recovery for the class of approximately \$215 Million.
- **Wemer, et al. v. The Ohio National Life Insurance Company and Ohio National Life Assurance Corporation**, United States District Court, Western District of Pennsylvania. Recovery for class of approximately \$14.5 Million.
- **Gelfman, et al. v. Weeden Investors, L.P.**, Chancery Court for New Castle, Delaware. Following a trial verdict in favor of the class of limited partners for breach of contract and fiduciary duty against officers and directors, settlement in excess of \$7 million.
- **Dixon, et al. v. Security Life Insurance Co. of Denver**, United States District Court for Colorado. Recovery for the class in excess of \$27 Million.

Resume of Partners

STEPHEN L. HUBBARD

Stephen L. Hubbard is a partner in the law firm of Hubbard & Biederman, L.L.P., and has been a business litigator concentrating his practice in the insurance related matters since 1977. Mr. Hubbard was born in Dallas, Texas on February 28, 1950. He attended the University of Texas (B.A., 1974) and St. Mary's University School of Law (J.D., 1977). Mr. Hubbard's law school activities included: Research and Symposium Editor, St. Mary's Law School Journal, 1976-1977; Author: Note, "Re-apportionment-Potential Dilution of Minority Voting Strength," 7 St. Mary's Law Journal 447, 1975; Comment, "Medical Liability Insurance," 7 St. Mary's Law Journal 802, 1976; Instructor, Legal Research and Writing, St. Mary's Law School, 1976-1977.

Mr. Hubbard has been admitted to practice in Texas since 1977. He is also admitted to practice before the U.S. District Court for the Northern, Southern, Eastern and Western Districts of Texas and U.S. Court of Appeals for the Fifth and Eleventh Circuits. Mr. Hubbard is a member of the American Bar Association, the State Bar of Texas, the Dallas Bar Association and the Association of Trial Lawyers of America.

Mr. Hubbard has a wide range of experience in problem solving, both inside and outside of the litigation context. His litigation experience has included prosecution and defense of suits in various State and Federal Courts throughout the United States involving such areas as business torts, officer and director liability, partnership dissolution, construction, real estate, and general contract disputes. In addition to business litigation, Mr. Hubbard's practice includes extensive experience in insurance insolvency matters, including complex litigation and negotiations involving large insolvencies, reinsurance, and accounting disputes. His clients have included several state insurance commissioners, receivers and liquidators.

Having had primary responsibility for third party litigation, asset recovery and business restructuring in connection with Executive Life Insurance Company, National County Mutual Fire Insurance Company, Early American Insurance Company/Commercial Standard Insurance Company and Mobile County Mutual Insurance Company/Mobile Insurance Company, Mr. Hubbard has obtained substantial recoveries for his clients. Mr. Hubbard's litigation and negotiation efforts proved instrumental in recovering over \$365 Million as counsel to the Rehabilitator and Liquidator of Executive Life Insurance Company. Mr. Hubbard's areas of responsibility in the above estates also included the investigation of and pursuit of multi-party reinsurance litigation, fraud and misrepresentation actions, along with complex real estate and corporate actions.

Mr. Hubbard has applied his insurance litigation background as class counsel in numerous class actions involving life insurance marketing practices, many of which have resulted in court-approved nationwide settlements. Moreover, Mr. Hubbard often represents individuals needing assistance in pursuing their claims against their insurers. Among those cases in which Mr. Hubbard and his firm have been involved as class counsel are the following: *In re Prudential Insurance Company of America Sales Practices Litigation*, 975 F. Supp. 584, 597 (D.N.J., 1996), *aff'd in part, remanded in part*, 148 F.3d 283 (3rd. Cir. 1998), *cert. den.* 525 U.S. 1114 (1999); *Duhaime v. John Hancock Mut. Life Ins. Co.*, 177 F.R.D. 54 (D. Mass. 1997); & *In re Great Southern Life Ins. Sales Practices*, 192 F.R.D. 212 (N.D. Tex. 2000). Mr. Hubbard's other reported opinions include *Speakman v. Allmerica Financial Life Ins. & Annuity Co.*, 367 F. Supp.2d 122 (D. Mass. 2005); and *Woodhaven Homes v. Alford*, 143 S.W.3d 202 (Tex. App.-Dallas 2004)

ROBERT W. BIEDERMAN

Robert W. Biederman is a partner in the law firm of Hubbard & Biederman, L.L.P. In Dallas, Texas. Mr. Biederman was born in Chicago, Illinois on October 22, 1952. He attended Sarah Lawrence College in Bronxville, New York (B.A. 1973) and Loyola University of Chicago School of Law (J.D. 1978). Mr. Biederman has been admitted to practice in Illinois since 1978; in Texas since 1985; in Massachusetts since 1992; and in California since 1995. He also is admitted to practice before the U.S. District Court for the Northern, Southern, Eastern and Western Districts of Texas, the Central District of California, and the District of Massachusetts, and the U.S. Court of Appeals for the Fifth Circuit.

Mr. Biederman's practice has included insolvency work, both in bankruptcy and insurance receiverships. In the bankruptcy field, Mr. Biederman's practice has included an array of cases ranging from the successful reorganization of \$50,000,000 plus real estate assets in Colorado; the representation of Executive Life Insurance Company Estate in the complex consensual reorganization of its publicly traded parent corporation; and the successful dismissals of multiple bankruptcies which sought to impede either the liquidation or reorganization of insurance receiverships. Mr. Biederman has spoken widely in the area involving bankruptcy and federal banking laws as well as bankruptcy and insurance receiverships and has published several articles: Co-Author, "Cases of First Impression: Prosecuting and Defending Against Motions for Temporary Restraining Order," Vol. 70, No. 9, Illinois Bar Journal, (May 9, 1982); Author, "Classification in Single Assets Bankruptcy Cases: Debtor and Lender Strategies", Real Estate Workouts and Asset Management (December 1994); Author, "Taming the Beast: Creditor Strategies Under Section 105(a) of the Bankruptcy Code," Bankruptcy Litigation, Vol. 3, No. 4, (Fall 1995).

In the insurance receivership cases, Mr. Biederman has focused principally on litigation involving asset recovery including the National County Mutual Fire Insurance Company and the Executive Life Insurance Company cases. This work has included handling lawsuits involving claims against officers, directors, and professionals. These lawsuits have resulted in judgments and settlements resulting in tens of millions of dollars of recoveries to various insurance receivership estates.

Mr. Biederman's reported decisions in the area of insurance receivership and bankruptcy include *Missouri Life and Health Ins. Guarantee Ass'n. v. Cameron Mut. Ins. Co.*, 991 S.W.2d 676 (Mo. App. W.D. 1998); *Checker Motors Corp. v. Superior Court*, 13 Cal. App. 4th 1007, 17 Cal. Rptr. 618 (Cal. App. 1993); and *In re Friendship Medical Center, Ltd.*, 3 B.R. 304 (Bkcty. N.D. Ill. 1980).

Mr. Biederman also has applied his insurance litigation background as co-counsel in the class actions principally involving life insurance marketing and other practices, many of which have resulted in court approved nationwide settlements. Among those cases in which Mr. Biederman and his firm have been involved as class counsel are the following: *In re Great Southern Life Ins. Sales Practices*, 192 F.R.D. 212 (N.D. Tex. 2000); *In re Prudential Insurance Company of America Sales Practices Litigation*, 975 F. Supp. 584, 597 (D.N.J., 1996), *aff'd in part, remanded in part*, 148 F.3d 283 (3rd. Cir. 1998), *cert. den.* 525 U.S. 1114 (1999); *Duhaime et al. v. John Hancock Mut. Life Ins. Co.*, 177 F.R.D. 54 (D. Mass. 1997); and *Gelfman v. Weeden Investors L.P.*, 859 A2d 89 (Del. Ch. 2004). Mr. Biederman's other reported opinions include *Speakman v. Allmerica Financial Life Ins. & Annuity Co.*, 367 F. Supp.2d 122 (D. Mass. 2005); *Woodhaven Homes v. Alford*, 143 S.W.3d 202 (Tex. App.-Dallas 2004); *Belgian American Investments & Trade Inc. v. Federal Sav. & Loan Ind. Corp.*, 717 F. Supp. 462 (N.D. Tex. 1989); *Blue Cross Assoc. v. 666 North Lake Shore Drive Associates*, 100 Ill. App.3d 647, 427 N.E.2d 270 (Ill. App. 1981).

ASSOCIATE

DAVID M. GROSSMAN

David M. Grossman is an associate in the law firm of Hubbard & Biederman L.L.P. Mr. Grossman was born in Tampa, Florida in 1968. He earned his B.A. in the Plan II Honors Program at the University of Texas in 1990 and his J.D. from the University of Texas School of Law in 1993. While attending the University of Texas School of Law, Mr. Grossman was a member of the Board of Advocates and was chosen to represent the school on its interscholastic moot court and mock trial teams.

Since 1996, Mr. Grossman has been engaged in a wide variety of commercial litigation in both state and federal courts, but has concentrated his practice in insurance and consumer class actions. He has extensive experience conducting complex discovery in large class action litigation.

Mr. Grossman was admitted to the Texas State Bar in 1993 and is also admitted to practice before the United States District Court for the Northern and Western Districts of Texas. He is a member of the American Bar Association, the Dallas Bar Association, the Consumer Law Section of the Texas Bar, and the Business Litigation Section of the Dallas Bar Association.